REMARKS

Applicants respectfully request reconsideration of the outstanding Office Action rejections in view of the foregoing amendments and following remarks.

Claim 29 has been amended to be more clear by moving the phrase "into an embossing unit" to be read after "to form the upper layer." Claim 31 has been amended to recite "a slack loop in the area of the buffer arrangement." Support for a slack loop is found in the specification on page 5, last sentence of the 2nd paragraph. No new matter has been added.

Claims 29, 32, 35, 39, and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Curiel (U.S. Patent 6,164,548) in view of Zeiter *et al.* (U.S. Patent 6,270,869 hereinafter "Zeiter"). Curiel is cited for teaching a method for making a foil within resinous plastic layers. Ink is printed on the foil or the foil can be embossed with a hologram. Zeiter teaches a laminate film comprising a metal foil surrounded by plastic layers such as used in a push-through or blister pack for tablets. Curiel teaches encapsulating a metal strip, whereas present claim 29 recites extrusion coating a reinforcement layer only on the lower side of the strip. Zeiter teaches a metal foil with plastic layers also on both sides of the foil. The references, however, do not teach "having plastic only on the lower side of the upper layer" as recited in present claim 29. Claim 29 should therefore be allowable.

Present Claim 32 recites an additional plastic layer. The Examiner states that the PVC layer in Zeiter is detachable by hand and therefore teaches the additional plastic

layer that is detachable by hand in present claim 32. Curiel and Zeiter contradict each other and cannot be combined because a removable PVC strip as taught in Zeiter cannot be combined with Curiel's "tamper resistant" encapsulated foil. The detachable additional plastic layer according to present claim 32, which serves as a protective layer, is not taught by Curiel. Curiel teaches completely encapsulating the metallic layer with a uniform plastic material (100) (*see* Curiel, column 6, lines 30-34, and Figure 2). Curiel's strip must be encapsulated in order to protect the desired information: "The information is physically encased within protective materials thereby precluding direct access for alteration, "(*see* Curiel, column 2, lines 38-44).

The Examiner states that Zeiter teaches using PVC on one side of the metal foil, and this PVC layer is loosely bonded and detachable by hand. Detaching the protective layer of Curiel according the teaching of Zeiter would allow access to the metal foil below, which Curiel teaches against. The references cannot be combined.

Present claim 35 recites a buffer arrangement. The Examiner contends that the ink printed on Curiel's foil buffers the foil against heat and thus Curiel teaches the buffer arrangement of present claim 35. The buffer of the present claims is not concerned with heat, but rather coordinates transport speed between the embossing unit and the extruder. The buffer is a slack loop that hangs between the embossing unit and extruder. The limitation of a slack loop is not possible with Curiel's ink, which the Examiner interprets as having heat buffering capabilities. Moreover, claims 35, 39 and

40 depend from claim 29, and are therefore allowable for further limiting an allowable claim.

Claim 31 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Curiel and Zeiter in view of Levendusky (U.S. Patent 5,919,517). The Examiner contends that the curved path and tension rollers of Levendusky would be obvious to incorporate as a buffering arrangement with Curiel's method of coating aluminum foil with polymer. Present claim 31 depends from claim 35, and claim 35 depends from claim 29. Dependent claims 35 and 31 are allowable as further limiting an allowable base claim. Moreover claim 31 has been amended to recite "the upper layer (12) runs like a slack loop in the area of the buffer arrangement." The slack loop is in contrast to Levendusky's teaching of tension rollers (14) (*see* Levendusky, Fig. 1 and column 2, lines 34-38).

Claims 33 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Curiel and Zeiter in view of Jackson (U.S. Patent 3,745,056). Claims 33 and 34 depend from claim 29 and are allowable for limiting an allowable claim. Moreover, regarding claim 33, the varnish in present claim 33 is protective and not adhesive on both sides in contrast to Jackson's teaching of tape that is adhesive on both sides. Jackson teaches adhesive material between the metal foil (12) and the film (13) (*see* Jackson, Figure 1) whereas present claim 33 only recites a protective varnish.

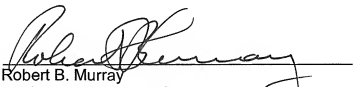
Claim 36 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Curiel and Zeiter in view of Pannier (U.S. Patent 1,856,928). Claim 36 depends from

claim 35, which depends from claim 29. Claim 36 is allowable for depending from an allowable claim. As argued above, Applicants assert Curiel and Zeiter can not be combined because Curiel requires an encapsulated foil, whereas Zeiter is being combined for its teaching of the removable PVC film.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact Applicant's undersigned attorney by telephone to arrange for an interview in order to expedite the allowance of this application.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding Office Action rejections. Early and favorable action is awaited. The Director is authorized to charge any fees or overpayment to Deposit Account No. 02-2135.

Respectfully submitted,

By: 

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